ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಪ್ರೆಸ್ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಕೊಡುವುದಕ್ಕೆ ಮುಂಚೆ ಕ್ಯಾಬಿನೆಟ್‌ನಲ್ಲಿ ಈ ವಿಷಯವನ್ನು ತೀರ್ಮಾನ ಮಾಡಲಿಲ್ಲವೇ ?

Sri A. G. RAMACHANDRA RAO.—The discussions in the Cabinet, I think, cannot be discussed here.

Mr. SPEAKER.—It is treated as confidential. Any other question.

ಶ್ರೀ ಪಿ. ಆರ್. ನಾಯ್ಕ.—ಸರ್ಕಾರದವರು ಪಾನ ನಿರೋಧ ನೀತಿಯನ್ನು ಬದಲಾಯಿಸಿದ್ದಾರೆಯೆ ?

ಶ್ರೀ ಎ. ಜಿ. ರಾಮಚಂದ್ರರಾವ್.—ಇಲ್ಲ.

ಶ್ರೀ ಪಿ. ಆರ್. ನಾಯ್ಕ.—ಹಾಗಾದರೆ ಅನೇಕ ಜನರಿಂದ ಮನವಿಗಳು ಬಂದಿವೆ ಏಕೆ ಅಂಗಡಿಗಳನ್ನು ತೆಗೆಯಬಾರದು ?

ಶ್ರೀ ಎ. ಜಿ. ರಾಮಚಂದ್ರರಾವ್.—ಯಾವ ರೀತಿ ಈ ವಿಚಾರದಲ್ಲಿ ಮುಂದುವರಿಯಬೇಕು, ಏನು ಮಾಡ ಮಾಡಬೇಕು ಎಂಬುದನ್ನು ಸರ್ಕಾರದವರು ಆಗಾಗ ಯೋಚನೆಮಾಡಿ ತೀರ್ಮಾನ ಮಾಡುತ್ತಾರೆ. ಅನೇಕ ಸಂದರ್ಭಗಳಲ್ಲಿ ಪ್ರಜೆಗಳ ಮನವಿಗೂ ಮನ್ನಣೆ ಕೊಡುತ್ತಾರೆ.

ಶ್ರೀ ಪಿ. ಆರ್. ನಾಯ್ಕ.—ಹಾಗಾದರೆ ಪಾನ ನಿರೋಧ ನೀತಿಯಿಂದ ಜನರಿಗೆ ಒಳ್ಳೆಯದಲ್ಲವೆ ?

Mr. SPEAKER.—This question was discussed at considerable length at the outset of the sitting of this Session.

ಶ್ರೀ ಜೆ. ಮಹಮ್ಮದ್ ಇಮಾಂ.—'As there were several representations from several quarters...' ಎಂದು ಹೇಳಿದೆ, ಯಾವ ಕ್ವಾರ್ಟರ್ಸ್‌ನಿಂದ ಮನವಿ ಬಂದದ್ದು ?

Sri A. G. RAMACHANDRA RAO.—Some parts of Kolar District.

ಶ್ರೀ ಜೆ. ಮಹಮದ್ ಇಮಾಂ.—ಬೇರೆ ಡಿಸ್ಟ್ರಿಕ್ಟ್‌ಗಳಿಂದ ಬರಲಿಲ್ಲವೇ ?

ಶ್ರೀ ಎ. ಜಿ. ರಾಮಚಂದ್ರರಾವ್.—ಬೇರೆ ಕಡೆಯಿಂದಲೂ ಬಂದಿದೆ, ಕೋಲಾರದಿಂದಲೂ ಬಂದಿದೆ.

Mr. SPEAKER.—There is no change.

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*Grant of toddy vending license to Contractor Sri Thimmappa.*

*Q.—295.* Sri A. BHEEMAPPA NAIK (Molakalmuru).—

Will the Government be pleased to state :—

(*a*) whether one Sri Thimmappa was the Contractor for the toddy shops in Bangalore City and Civil Area for the year 1952-53 ;

(*b*) whether he applied for the tapping of date trees in Goribidnur Taluk for the year under question ;

(*c*) whether he was granted trees in that taluk ;

(*d*) whether it is a fact that the Madras Government protested against tapping toddy in that area ;

(*e*) whether the grant of tapping was cancelled subsequently ;

(*f*) whether there was any assurance given before auction sale for the year 1952-53 that the trees would be given at Goribidnur Taluk alone ;

(*g*) whether he applied for compensation since he was given trees at a more distant place after cancelling at Goribidnur ;

(*h*) whether the application for such compensation was rejected by Government ;

(*i*) whether he has renewed the same application this year ;

(*j*) whether he has been granted the vending of toddy license for 1953-54 also, even though he failed to give the highest bid in open auction ?

*A.*—Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—

(*a*) No.

(*b*) to (*i*) Does not arise in view of reply to (*a*).

(*j*) He has been given the toddy vending license. He did not bid at the sale for toddy shops.

Sri A. BHEEMAPPA NAIK.—I am sorry, Sir, there is a mistake in my first question. Instead of 1951-52, I have stated it as 1952-53.

Will the Government be pleased to state whether Sri Thimmappa was a Contractor for 1951-52 ?

Sri A. G. RAMACHANDRA RAO.—I believe, he was.

Sri A. BHEEMAPPA NAIK.—In view of this answer, will the Government be pleased to state whether he applied for tapping of toddy trees in Goribidnur Taluk for the year under question ?

Sri A. G. RAMACHANDRA RAO.—He applied.

Sri A. BHEEMAPPA NAIK.—Was he granted trees for tapping in that taluk ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri A. BHEEMAPPA NAIK.—Is it a fact that the Madras Government protested against tapping of trees in that area ?

Sri A. G. RAMACHANDRA RAO.—There was no protest. There was some correspondence.

Sri A. BHEEMAPPA NAIK.—They did not want the trees to be given for tapping. Am I correct ?

Sri A. G. RAMACHANDRA RAO.—They pointed out the advisability of not permitting tapping of trees in Goribidnur Taluk.

Sri A. BHEEMAPPA NAIK.—On that advice, the grant for tapping was cancelled subsequently in that year. Is it so, Sir ?

Sri A. G. RAMACHANDRA RAO.—Not only on that advice.

Sri A. BHEEMAPPA NAIK.—In any case the grant was cancelled ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri A. BHEEMAPPA NAIK.—May I know whether there was any assurance given before the auction sale that the trees would be given for tapping in Goribidnur Taluk alone ?

Sri A. G. RAMACHANDRA RAO.—No. He was given in Goribidnur Taluk. But I cannot say whether he was given an assurance.

Sri A. BHEEMAPPA NAIK.—Did he apply for compensation on account of those trees—trees in Goribidnur Taluk—being cancelled ?

Sri A. G. RAMACHANDRA RAO.—Those trees being cancelled and fresh trees in Nanjangud Taluk being granted, he has made representations in respect of both.

Sri A. BHEEMAPPA NAIK.—The application for such compensation was rejected by the Excise Minister. Is it not so, Sir ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri A. BHEEMAPPA NAIK.—Is he not the Contractor this year, Sir ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri A. BHEEMAPPA NAIK.—Has he renewed the application for compensation once again ?

Sri A. G. RAMACHANDRA RAO.—On the rejection of the first application, another application which he filed long before is pending before Government.

Sri A. BHEEMAPPA NAIK.—Is it an application for revision ?

Sri A. G. RAMACHANDRA RAO.—Yes, for reconsideration of the order.

Sri A. BHEEMAPPA NAIK.—What was the date on which he filed such application ?

Sri A. G. RAMACHANDRA RAO.—I want notice for that.

Sri A. BHEEMAPPA NAIK.—Was he given an assurance before the present quotation of him was accepted that his previous application which he had filed for reconsideration would be very favourably considered ?

Sri A. G. RAMACHANDRA RAO.—No such assurance has been given.

Sri A. BHEEMAPPA NAIK.—In view of all this furore that has been created in this auction sale, will the Government reject that application ?

Sri A. G. RAMACHANDRA RAO.—Unintelligent furores would not affect the Government.

Sri A. BHEEMAPPA NAIK.—What are the differences between intelligent furore and unintelligent furore ?

Sri A. G. RAMACHANDRA RAO.—Furore itself is the result of unintelligence.

Mr. SPEAKER.—The Member may put a question instead of asking for definition.

Sri A. BHEEMAPPA NAIK.—Was Sri Thimmappa who was given license for vending toddy in arrears of toody tax or any other tax when he was given the auction sale licence ?

Sri A. G. RAMACHANDRA RAO.—Notice.

Sri A. BHEEMAPPA NAIK.—Was he in arrears to the tune of lakhs of rupees ?

Sri A. G. RAMACHANDRA RAO.—Notice.

Sri A. BHEEMAPPA NAIK.—Was he not in arrears for the previous two months before his quotation was accepted ?

Sri A. G. RAMACHANDRA RAO.—Notice.

Sri A. BHEEMAPPA NAIK.—Is it not just to accommodate him that the amount was allowed to be in arrears and has he not paid that amount which was in arrears towards his quotation deposit ?

Sri A. G. RAMACHANDRA RAO.—I repudiate the insinuation.

Sri A. BHEEMAPPA NAIK.—Does the Hon'ble Minister really think that questions are put to insinuate ? Will he please withdraw such words ?

Mr. SPEAKER.—It is for me to decide. That will do so far as this supplementary is concerned. The Member may put any other supplementary.

Sri A. BHEEMAPPA NAIK.—Was there any tender on account of which his quotation was accepted ? Did the Government call for any quotations before his quotation for 1953-54 ?

Sri A. G. RAMACHANDRA RAO.—The Government have followed the rules in the matter.

Sri A. BHEEMAPPA NAIK.—Did you call for the quotations or not is the question. Whatever may be the rules in this behalf, I want to know whether you have called for tenders ?

Mr. SPEAKER.—High Court Judgment reveals that.

Sri H. SIDDAVEERAPPA.—And also the Government Order.

Sri A. BHEEMAPPA NAIK.—I am not expected to know every High Court Judgment. I want to know whether the Government have called for the tender or not.

Sri A. G. RAMACHANDRA RAO.—I refer the Hon'ble Member to the Government Order.

Sri A. BHEEMAPPA NAIK.—Is it the policy of the Government to give licence to excise contractors who are defaulters ?

Sri A. G. RAMACHANDRA RAO.—Obviously, it can never be the policy of the Government to defy its own orders.

Sri A. BHEEMAPPA NAIK.—Was he not a defaulter ?

Sri A. G. RAMACHANDRA RAO.—I have already answered that question.

Sri A. BHEEMAPPA NAIK.—May I know whether there is a claim by this person for refund of a sum of nearly Rs. 4 lakhs pending consideration before the Government ?

Sri A. G. RAMACHANDRA RAO.—As I said, he has filed an application for reconsidering the rejection of an earlier order in the matter of compensation.

Sri A. BHEEMAPPA NAIK.—Is it true that the claim amounts to nearly Rs. 4 lakhs.

Sri A. G. RAMACHANDRA RAO.—I want notice for that.

Sri A. BHEEMAPPA NAIK.—May I know whether the Minister who is answering these questions has not informed himself about the facts of the particular matter to which this question relates or if he has not posted himself with that information, would he leave it to the Excise Minister himself to answer ?

Sri A. G. RAMACHANDRA RAO.—In respect of this question, I have fully armed myself with information and I am trying to answer him.

Sri J. MOHAMED IMAM.—May I know whether it is a fact whether this particular contractor is a defaluter to the extent of Rs. 1,20,000 ?

Sri A. G. RAMACHANDRA RAO.—I have already answered that question.

Sri J. MOHAMED IMAM.—While accepting the tender of such a person for such a high bid, is it not the duty of the Government to satisfy itself that the person is not in heavy arrears ?

Sri A. G. RAMACHANDRA RAO.—We have fully satisfied ourselves before we did so.

Sri J. MOHAMED IMAM.—Have the Government satisfied themselves that he is not a defaulter?

Sri A. G. RAMACHANDRA RAO.—He is not a defaulter.

Sri J. MOHAMED IMAM.—To a previous question put, whether this man was in arrears the Minister said 'notice'. Does not that mean that the Government have not satisfied themselves whether he is in arrears or not?

Sri A. G. RAMACHANDRA RAO.—No.

Sri J. MOHAMED IMAM.—Is Sri Thimmappa in arrears? Does he owe any money to Government in previous contract or not?

Sri A. G. RAMACHANDRA RAO.—Notice.

Sri J. MOHAMED IMAM.—When you plead 'notice', is not the duty of the Government to satisfy themselves before accepting the tender whether he is in arrears or not?

Sri A. G. RAMACHANDRA RAO.—At the time of passing orders, the Government were fully satisfied.

Sri J. MOHAMED IMAM.—Were you satisfied that he was not in arrears at that time?

Sri A. G. RAMACHANDRA RAO.—The question of arrears does not arise in view of the fact that he made a representation that he himself should be paid compensation.

Sri J. MOHAMED IMAM.—Will the arrears be set off against compensation?

Sri A. G. RAMACHANDRA RAO.—That is a matter which is pending, as I said.

Sri J. MOHAMED IMAM.—When there is already a competent Government Order that he should not be given compensation, what were the circumstances that made the Government to entertain the second application?

Sri A. G. RAMACHANDRA RAO.—The matter is pending, as I have already said.

Sri J. MOHAMED IMAM.—Are the Government aware that till the previous arrears are settled, he should not be given any fresh contracts according to rules?

Sri A. G. RAMACHANDRA RAO.—The rules are obvious in the matter.

Sri J. MOHAMED IMAM.—In the face of the rules, how this gentleman was entrusted with this tender?

Sri A. G. RAMACHANDRA RAO.—While the matter is one of claim and counter-claim, unless it is finally decided, this question does not arise.

Sri J. MOHAMED IMAM.—Did this gentleman give a tender of his own accord or was he asked to give a tender at the instance of anybody else?

Sri A. G. RAMACHANDRA RAO.—I do not know if he gave tender at the instance of anybody else.

Sri J. MOHAMED IMAM.—Did he give the tender of his own accord?

Sri A. G. RAMACHANDRA RAO.—Obviously, it is so.

Sri J. MOHAMED IMAM.—Is it not the practice to call for tenders and ascertain if anybody gives the highest bid?

Sri A. G. RAMACHANDRA RAO.—The best under the circumstances has been done.

Sri J. MOHAMED IMAM.—Is it not a fact that if they had called for fresh tender, they would have received a higher offer than what was tendered by Sri Thimmappa?

Sri A. G. RAMACHANDRA RAO.—Calling for fresh tender was considered unnecessary.

Sri J. MOHAMED IMAM.—Why was fresh tender considered unnecessary? Has not the Minister put the Government to loss by not calling for tenders?

Sri A. G. RAMACHANDRA RAO.—By going according to the rules, they had found it unnecessary to call for fresh tenders.

Sri J. MOHAMED IMAM.—Is there any rule which states that when a fresh tender is given, no notification is called for?

Sri A. G. RAMACHANDRA RAO.—There is no rule to that effect.

Sri J. MOHAMED IMAM.—Is it not the established practice that, when a fresh tender comes in against the highest bid, that a tender is called for the second time or re-sale is ordered?

Sri A. G. RAMACHANDRA RAO.—This method does not conform to the established practice.

Sri J. MOHAMED IMAM.—I was myself the Excise Minister.

Sri H. SIDDAVEERAPPA.—There are a dozen instances where it has been decided similarly in this matter.

Sri J. MOHAMED IMAM.—Is there an instance where tender has been accepted for the second time in Bangalore City without calling for fresh tenders?

Sri A. G. RAMACHANDRA RAO.—This question has been discussed and decided by both the Government as well as by the High Court.

Sri J. MOHAMED IMAM.—I want to know whether there has been anv instance, so far as this excise sale of City of Bangalore is concerned, where a single tender has been accepted without calling for fresh tender?

Sri H. SIDDAVEERAPPA.—Sir, in the Government Order that has been passed, to which I was also a party, we have very clearly set out the circumstances. There are a number of cases where after the first auction sale was set aside after receiving another tender the bid has been disposed of in the same manner as we have done in this case. There are a number of cases wherein the previous Excise Contractor had also received the same benefit. There are a number of instances I can give you and place the information on the Table of the House.

9 A.M.

Sri N. C. NAGAIAH REDDY.—Because he has committed wrong.

Sri H. SIDDAVEERAPPA.—The High Court has held that there is no wrong.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಶ್ರೀವರ್ಷ ತಿಮ್ಮಪ್ಪ ನವರು ಎಕ್ಸೈಸ್ ಬಾಬಿನಲ್ಲಿ ಹೊಸದಾಗಿ ಕಂಟ್ರಾಕ್ಟ್ ತೆಗೆದುಕೊಂಡಿದ್ದಾರೋ, ಅಥವಾ ಬೇರೆ ಕಡೆಯೂ ಕಂಟ್ರಾಕ್ಟ್ ತೆಗೆದುಕೊಂಡಿದ್ದಾರೋ?

Sri A. G. RAMACHANDRA RAO.—They have been contractors for a number of years.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಬೆಂಗಳೂರು ಸಿಟಿಯಲ್ಲಿ ಇದುವರೆಗೆ ಎಕ್ಸೈಸ್ ಕಂಟ್ರಾಕ್ಟರು ಯಾರು ಇದ್ದವರು?

Sri A. G. RAMACHANDRA RAO.—They were Sri Guruswami and Thimmappa alternately. As regards the question put by Sri Imam whether there was any occasion when these *bobs* were disposed of by tender or by notification, I may bring to the notice of the House that from 1943 onwards Bangalore area was given for three years without any tender being called for....

SOME MEMBER.—To Guruswami?

Sri A. G. RAMACHANDRA RAO.—To Sri Guruswami.

Sri D. DEVARAJ URS.—May I know whether this contract in Bangalore City was given continuously to one and the same contractor for a long time?

Sri T. CHANNIAH.—For the last 20 years it was given.

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*Effect of introduction of new Educational Reforms on unqualified teachers.*

*Q.*—301. Sri K. PRABHAKAR (Nelamangala—Scheduled Castes).—

Will the Government be pleased to state:—

(*a*) the arrangements made to re-employ teachers that are likely to be thrown out of services owing to lack of qualifications after the introduction of Educational Reforms in the State;

(*b*) their number in all?